

## § 199.20

## 46 CFR Ch. I (10–1–07 Edition)

(2) This paragraph does not apply to public vessels.

(i) *New lifesaving appliances or arrangements.* When any lifesaving appliance or arrangement on a vessel subject to this part is replaced, or when the vessel undergoes repairs, alterations, or modifications of a major character involving replacement of, or any addition to, the existing lifesaving appliance or arrangements, each new lifesaving appliance and arrangement must meet the requirements of this part, unless the OCMI determines that the vessel cannot accommodate the new appliance or arrangement, except that—

(1) A survival craft is not required to meet the requirements of this part if it is replaced without replacing its davit and winch; and

(2) A davit and its winch are not required to meet the requirements of this part if one or both are replaced without replacing the survival craft.

(j) *Repairs and alterations to lifesaving appliances.* No extensive repairs or alterations, except in an emergency, may be made to a lifesaving appliance without advance notification to the OCMI. Insofar as possible, each repair or alteration must be made with material, and tested in the manner, specified in this subchapter and applicable to the new construction requirements in subchapter Q of this chapter. Emergency repairs or alterations must be reported as soon as practicable to the OCMI responsible for the port or location where the vessel may call after such repairs are made. Lifeboats, rescue boats, or rigid liferafts may not be reconditioned for use on a vessel other than the one they were originally built for, unless specifically accepted by the OCMI.

(k) *Vessels reflagged under Sec. 1137, Coast Guard Authorization Act of 1996.* Vessels that qualify for a certificate of inspection under the provisions of section 1137, Coast Guard Authorization Act of 1996, Public Law 104–324, 110 Stat. 3988 (46 U.S.C.A. app. 1187, Note), are not subject to the requirements of this part if such vessels meet lifesaving equipment standards required under

section 1137 as determined by the Commandant.

[CGD 84–069, 63 FR 52817, Oct. 1, 1998; 63 FR 56066, Oct. 20, 1998; 63 FR 63798, Nov. 17, 1998; USCG–1999–6216, 64 FR 53229, Oct. 1, 1999]

### § 199.20 Exemptions.

(a) *Vessels engaged on international voyages.* (1) The following types of vessels engaged on international voyages may request an exemption from Commandant (G-MOC) from requirements of this part:

(i) A vessel for which the sheltered nature and conditions of an international voyage would render the application of any specific requirements of this part unreasonable or unnecessary and which in the course of the voyage does not proceed more than 20 miles from the nearest land.

(ii) A vessel embodying features of a novel kind to which the application of any provision of this part would seriously impede research into the development of such features and their incorporation on vessels engaged on international voyages.

(2) A written request for exemption under this section must be submitted to the cognizant OCMI for review and forwarding to Commandant (G-MOC).

(b) *Single voyage exemption from SOLAS requirements.* A vessel that is not normally engaged on international voyages, but which, under exceptional circumstances, is required to undertake a single international voyage, may be exempted from the applicable requirements in this subpart and subparts B, C, and D of this part by the Commandant (G-MOC). A written request for exemption under this paragraph must be submitted to the cognizant OCMI for review and forwarding to Commandant (G-MOC).

(c) *Exemption Certificates.* When Commandant (G-MOC) grants an exemption under paragraph (a) or (b) of this section, an Exemption Certificate describing the exemption will be issued by the appropriate OCMI. The Exemption Certificate must be carried on board the vessel at all times and must be available to Coast Guard personnel upon request.

(d) *Vessels not engaged on international voyages.* (1) If a District Commander determines that the overall safety of

the persons on board a vessel will not be significantly reduced, the District Commander may grant an exemption from compliance with a provision of this part to a specific vessel for a specified geographic area within the boundaries of the Coast Guard District. This exemption may be limited to certain periods of the year.

(2) Requests for exemption under this paragraph must be made in writing to the OCMI for transmission to the District Commander for the area in which the vessel is in service or will be in service.

(3) If the exemption is granted by the District Commander, the OCMI will endorse the vessel's Certificate of Inspection with a statement describing the exemption.

[CGD 84-069, 61 FR 25313, May 20, 1996, as amended by CGD 96-041, 61 FR 50735, Sept. 27, 1996; USCG-1999-6216, 64 FR 53229, Oct. 1, 1999]

#### § 199.30 Definitions.

The following definitions apply to this part:

*Accommodation* means a cabin, or other covered or enclosed place, intended to be occupied by persons. Each place in which passengers and special personnel is carried is considered an accommodation, whether or not it is covered or enclosed. Accommodations include, but are not limited to halls, dining rooms, mess rooms, lounges, corridors, lavatories, cabins, offices, hospitals, cinemas, game and hobby rooms, and other similar places open to persons on board.

*Anti-exposure suit* means a protective suit designed for use by rescue boat crews and marine evacuation system parties.

*Approval series* means the first six digits of a number assigned by the Coast Guard to approved equipment. Where approval is based on a subpart of subchapter Q of this chapter, the approval series corresponds to the number of the subpart. A listing of current and formerly approved equipment and materials may be found on the Internet at: <http://cgmix.uscg.mil/equipment>. Each OCMI may be contacted for information concerning approved equipment.

*Approved lifesaving appliance* means carrying an approval granted by the

Commandant under subchapter Q of this chapter.

*Cargo vessel* means any vessel that is not a passenger vessel.

*Certificated person* means a person holding a U.S. merchant mariner's document with an endorsement as a lifeboatman or another inclusive rating under part 12 of this chapter.

*Child*, for the purpose of determining the number of lifejackets required under this part, means a person less than 41 kilograms (90 pounds) in mass.

*Civilian nautical school* means any school or branch thereof operated and conducted in the United States, except State nautical schools and schools operated by the United States or any agency thereof, which offers instruction for the primary purpose of training for service in the merchant marine.

*Coastwise voyage* means a voyage on the waters of any ocean or the Gulf of Mexico no more than 20 nautical miles offshore.

*Commandant* means the Commandant of the U.S. Coast Guard.

*Crew* means all persons carried on board the vessel to provide navigation and maintenance of the vessel, its machinery, systems, and arrangements essential for propulsion and safe navigation or to provide services for other persons on board.

*District Commander* means an officer of the U.S. Coast Guard designated by the Commandant to command all Coast Guard activities within a Coast Guard District. Coast Guard Districts are described in 33 CFR part 2.

*Detection* means the determination of the location of survivors or survival craft.

*Embarkation ladder* means the ladder provided at survival craft embarkation stations to permit safe access to survival craft after launching.

*Embarkation station* means the place where a survival craft is boarded.

*Extended-size lifejacket* means a lifejacket that is approved for use by adults as well as by some larger children.

*Ferry* means a vessel as described in § 70.10-1 of this chapter.

*Float-free launching* means that method of launching a survival craft or lifesaving appliance whereby the craft or appliance is automatically released